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UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF
MICHELLE YANG IN SUPPORT OF
PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS MOTION
FOR RELIEF FROM NON-
DISPOSITIVE PRETRIAL ORDER OF
MAGISTRATE JUDGE (DKT. 2011)**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Plaintiff Waymo LLC's Administrative Motion to File Under Seal Its Motion for
6 Relief from Non-Dispositive Pretrial Order of Magistrate Judge (Dkt. 2011).

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibits 5, 7, 8, and 9	Entire Documents
Exhibit 6	Red Boxes

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13 3. The entirety of Exhibit 5 contains highly confidential technical information
14 considered by an Ottomotto software engineer. Disclosure of this information could allow
15 competitors to obtain a competitive advantage over Defendants by understanding this technical
16 information.

17 4. The red boxes of Exhibit 6 contain contact information, including personal email
18 addresses and personal phone numbers, of current and former company employees, whose
19 electronic communications may become compromised if this information were disclosed to the
20 public. Defendants seek to seal this information in order to protect the privacy of these
21 individuals because this lawsuit is currently the subject of extensive media coverage. Disclosure
22 of this information could expose these individuals to harm or harassment.

23 5. The entirety of Exhibit 7 contains highly confidential information from an email
24 communication discussing and attaching Ottomotto source code. The confidentiality of this
25 information has been maintained. Disclosure of this information could allow competitors to
26 obtain a competitive advantage over Defendants by giving them insight into the development of
27 Ottomotto source code, such that they could tailor their own software development.
28

6. The entirety of Exhibit 8 is an email communication containing highly confidential information regarding Uber's self-driving car development strategy, including specific timeline, goals, and market information, and employee recruiting strategy. This information is highly confidential, and its confidentiality is strictly maintained. Disclosure of this information could allow competitors to acquire detailed and specific knowledge into various elements of Uber's self-driving car and recruiting strategy, such that they could tailor their own development goals and job offers when recruiting, and Uber's competitive standing could be significantly harmed.

7. The entirety of Exhibit 9 contains highly confidential internal notes containing Defendants' development, market, organizational and business strategy information. Disclosure of this information could allow competitors to gain insight into Defendants' development goals and strategy, such that Uber's competitive standing could be significantly harmed.

8. Defendants' request to seal is narrowly tailored to the portions of Waymo's Motion and its supporting papers that merit sealing.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of October, 2017 in Washington, District of Columbia.

/s/ Michelle Yang

Michelle Yang

ATTESTATION OF E-FILED SIGNATURE

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Michelle Yang has concurred in this filing.

Dated: October 20, 2017

/s/ Michael A. Jacobs

MICHAEL A. JACOBS